

REMARKS

Upon entry of the present amendment claims 1-10 and 13-21 remain in the application. Claims 11 and 12 are canceled without prejudice.

The Office action of November 6, 2003 stated that claims 1-10 would be allowed if amended to include the limitations of claims 11 and 12. Claim 1 has been amended to include the limitations of claim 12. The claim has been amended to define the cure temperature of above 32°F and below 120°F.

Applicants submit that the combined references do not render the instant claims obvious due to the fact that a prima facie case of obviousness has not been established because there is no motivation provided in either reference to form an automotive coating from epoxide resin and phenalkamine and polyamide hardeners cured in the temperature range of the present invention. The claims are distinguished from Wanthal for the reason that claim 1 defines an automotive refinish primer coating comprising an epoxy resin and phenalkamine and polyamide hardeners curable between above 32°F and below 120°F, whereas Wanthal defines an epoxy adhesive composition comprising phenalkamine and polyamide as hardeners curable with induction heating. Wanthal provides no motivation to form a coating composition that cures in a wide temperature range as defined in the instant claims for the reason that Wanthal defines that curing requires induction heating, whereas the present invention does not. Wanthal does not teach that the mixture of phenalkamine and polyamide hardeners is effective for lower temperature curing that occurs without heating.

Brytus does not provide motivation to form a coating composition comprising phenalkamine and polyamide hardeners. Brytus defines a low temperature cure coating with an epoxy resin and hardeners comprising diamines together with phenalkamine to accelerate curing at low temperatures. It does not suggest using a polyamide together with a phenalkamine to lower the curing temperature of the coating.

Due to lack of motivation in either reference to make a refinish primer coating composition as defined herein, Applicants submit that the Examiner has failed to establish a prima facie case of obviousness and request withdrawal of the 35 USC §103 obviousness rejection and allowance of claims 1-10.

Applicants acknowledge that claims 13-21 were indicated to be allowed. Accordingly, allowance of claims 1-21 is respectfully requested.

Respectfully submitted,

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